

### REMARKS

This application has been carefully reviewed in light of the Office Action dated November 17, 2006. Claims 1 to 86 and 138 to 153 are pending in the application.

Reconsideration and further examination are respectfully requested.

As an initial matter, Applicant thanks the Examiner for the continued indication that Claims 1 to 86 are allowed.

Claims 138 to 153 under 35 U.S.C. § 103(a) were rejected over U.S. Patent No. 5,172,244 (Nakahara) in view of U.S. Patent No. 4,905,098 (Sakata). Reconsideration and withdrawal of this rejection are respectfully requested.

Turning to specific claim language, independent Claim 138 is directed to an output control apparatus operable to communicate with an information processing apparatus via a network. The apparatus includes print update means for updating a print count value indicating a number of prints in response to delivery of a print sheet printed; trouble update means for updating a trouble count value indicating a number of print troubles when a print trouble occurs; determination means for determining whether or not the print count value updated by the print update means reaches a predetermined value; transmission control means for, if the determination means determines that the print count value updated by the print update means reaches the predetermined value, controlling transmission of trouble data including the trouble count value updated until the print count value reaches the predetermined value to the information processing apparatus such that the information processing apparatus recognizes the trouble count value indicating the number of troubles updated until the print count value reaches the predetermined value at the output control apparatus; and initialization means for, if the

determination means determines that the print count value updated by the print update means reaches the predetermined value, initializing the trouble count value. The transmission control means and the initialization means are repeatedly performed whenever the determination means determines that the print count value updated by the print update means reaches the predetermined value.

Claim 138 as amended now includes the features of a determination means for determining whether or not the print count value updated by the print update means reaches a predetermined value, and an initialization means for initializing the trouble count value, if the determination means determines that the updated print count value reaches the predetermined value. In addition, it is recited that the transmission control means (formerly "transmission means") and the initialization means are repeatedly performed whenever the determination means determines that the print count value reaches the predetermined value.

In contrast, Nakahara discloses a digital copier that has a single scanner and a plurality of plotters which are physically independent of each other. When a copying operation is inhibited because of a jam or similar trouble or the exhaustion of papers, a signal representative of such a condition is fed to the operation board 50 (of FIG. 1) to be displayed on a display section 504 (of FIG. 6). In this case, the plotter select display 506 (of FIG. 6) will glow in red. In addition, the digital copier continues a process of reading data from an original document even during an error recovery process.

In addition, Sakata discloses a copier with an optional facsimile mechanism. The copier includes a counter that counts the number of print out processes for facsimile data, and a number of copy processes performed in a copy mode. Sakata further discloses that these counters are "operable as a jam counter or the like."

However, neither Nakahara nor Sakata, neither alone nor in combination, disclose or suggest updating a print count value indicating a number of prints in response to delivery of a print sheet printed and updating a trouble count value indicating a number of print troubles when a print trouble occurs. Nor do Nakahara and Sakata disclose or suggest controlling transmission of trouble data including the trouble count value updated until the print count value reaches the predetermined value to an information processing apparatus if a determination means determines that the updated print count value has reached a predetermined value. Accordingly, Claim 138 features a transmission control means that does not simply transmit a trouble count value to an information processing apparatus, but controls the transmission of the trouble count value based on a determination that the print count value reaches a predetermined value. Such a cooperation between a determination means and a transmission control means is not found in either Nakahara or Sakata.

Furthermore, Claim 138 features initializing the trouble count value if it is determined that the print count value reaches a predetermined value. It is important that the initialization means does not simply initialize the trouble count value, but initializes that value based on the determination that the print count value reaches the predetermined value. Such cooperation of the determination means and the initialization means is not found in either Nakahara or Sakata.

Finally, Claim 138 also features transmission control means and the initialization means are repeatedly performed whenever the determination means determines that the print count value reaches the predetermined value. Neither Nakahara nor Sakata, neither alone nor in combination, disclose or suggest such a feature.

In light of the deficiencies of Nakahara and Sakata as discussed above, Applicant submits that amended independent Claim 138 is now in condition for allowance and respectfully requests same.

Amended independent Claims 142, 146, 150 and 152 are directed to a method, memory medium storing computer-executable code, a system and a method, respectively, substantially in accordance with the apparatus of Claim 138. Accordingly, Applicant submits that Claims 142, 146 150 and 152 are also now in condition for allowance and respectfully requests same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at  
(714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank L. Cire', written over a horizontal line.

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